



Board of Zoning Appeals

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

[Http://planning.city.cleveland.oh.us/bza/cpc.html](http://planning.city.cleveland.oh.us/bza/cpc.html)

216.664.2580

MAY 6, 2019

9:30

Calendar No. 19-47:

6007 Ellen Ave.

Ward 15

Matt Zone

11 Notices

Petru Stinea, owner, proposes to erect an 11' x 20' one story aluminum carport/patio to an existing single family residence in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.23(a) which states that all parking spaces shall be located on the rear half of the lot (35 feet back)
2. Section 349.05(a) which states that no parking shall be located within 10 feet of any wall of a residential building that contains ground floor windows.
3. Section 357.09(b)(2)(B) which states that the required interior side yard is 3 feet and the appellant is proposing 2 feet 7 inches. (Filed March 22, 2019)

9:30

Calendar No. 19-60:

6609 Wakefield Ave.

Ward 15

Matt Zone

11 Notices

Elmhurst Homes, owner, proposes to erect a 22' x 60' two story frame single family residence with a 20' x 20' attached garage in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

- 1.) Section 355.04(b) which states that the required minimum lot area of 4800 square feet is required and 4,000 square feet are proposed.
- 2.) Section 357.09(b)(2)(B) which states that the required interior side yard is 6.35 feet and the appellant is proposing 5 feet for the dwelling and 3 feet for the cantilever wall.
- 3.) Section 341.02(b) which states that City Planning Approval is required prior to the issuance of a building permit (Filed April 4, 2019)

9:30

Calendar No. 19-61:

6607 Wakefield Ave.

Ward 15

Matt Zone

11 Notices

Elmhurst Homes, owner, proposes to erect a 22' x 60' two story frame single family residence with a 20' x 20' attached garage in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

- 1.) Section 355.04(b) which states that the required minimum lot area of 4800 square feet is required and 4,000 square feet are proposed.

- 2.) Section 357.09(b)(2)(B) which states that the required interior side yard is 6.35 feet and the appellant is proposing 5 feet for the dwelling and 3 feet for the cantilever wall.
- 3.) Section 341.02(b) which states that City Planning Approval is required prior to the issuance of a building permit (Filed April 4, 2019)

9:30

Calendar No. 19-62:

603 Herschel Court

Ward 3

Kerry McCormack

16 Notices

Brian Davine, owner, proposes to construct a 3 ½ story addition on a 3,220 square foot lot in a B1Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

- 1.) Section 355.04(a) which states that the minimum lot area for a single family dwelling in a "B" Area district is 4,800 square feet and the lot area is 3,220 square feet.
- 2.) Section 357.09(b)(2)(B) which states that in a Two-Family Residential District no interior side yard on a lot occupied by a dwelling house shall be less than 5 feet in width for a corner lot, nor less than 3 feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than 10 feet. However the width of any such interior side yard shall in no case be less than ¼ the height of the main building on the premises. The required interior side yard in this case is 10 feet and a 1 foot 6 inch side yard is proposed (Filed April 9, 2019).

9:30

Calendar No. 19-64:

2445 W. 7 Street

Ward 3

Kerry McCormack

11 Notices

Elias Karaboutis, owner, proposes to create a 12' x 25' concrete parking space and new drive apron to an existing single family residence in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

- 1.) Section 337.23(a) which states that all parking spaces shall be located on the rear half of the lot at 60 feet.
- 2.) Section 349.05(a) which states that no parking space shall be located within 10 feet of any wall of a residential building that contains ground floor windows (Filed April 10, 2019).

9:30

Calendar No. 19-65:

6904 Denison Avenue

Ward 14

Jasmine Santana

13 Notices

Suhail Iwais, owner, proposes to expand parking lot in a B3 Semi-Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.07(a) which states that Off-Street parking shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces are surfaced with concrete, asphaltic concrete, asphalt. The owner is proposing a gravel parking area.
2. Section 352.10 which states that a 6' wide landscape strip is required along Denison Avenue at all areas where the parking lot abuts a street; partial landscaping is proposed.
3. Section 337.17 which states that a parking lot arrangement of 90 degree parking spaces shall have an aisle width of 20 minimum of 20' and 14 feet isle width is proposed.

4. Section 349.15 which states that 3 bicycle parking spaces are required, none proposed.
5. Section 358.05 which states that a fence in a Semi-Industry District shall not exceed 4' high in the actual front yard and in actual side street yard and shall be 50% open; 6' high fence is proposed within front yard setback. (Filed April 12, 2019)
- 6.

POSTPONED FROM APRIL 8, 2019

9:30

Calendar No. 19-040: 3919 E. 176 Street

**Ward 1
Joseph T. Jones
24 Notices**

Beatrice Price, owner, proposes to establish use as a state licensed Residential Facility in an A1 One-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 325.571 which states that a "Residential Facility" means a publicly or privately operated home or facility, licensed pursuant to state law, that provides accommodations, supervision, and personal care services to any of the following: (a) one (1) or two (2) unrelated persons with mental illness; (b) or 1 or two(2) unrelated adults who are receiving residential state supplement payments as defined in the Ohio Revised Code; or (c) three (3) to sixteen (16) unrelated adults.
2. Section 337.02(h) which states that a residential facility, as defined in Chapter 325 of the Zoning Code for one(1) to five(5) unrelated persons is permitted in a One Family Residential District provided it is located not less than one thousand (1,000) feet from another residential facility. The proposed use is within 1,000 feet of two other residential facilities, at 3963 Strandhill Rd. (Wilson Adult Home) and 17511 Walden Avenue (Belcher Adult Family Home)(Filed March 8, 2019-No Testimony) *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT DUE TO A SCHEDULING CONFLICT.*

**POSTPONED FROM FEBRUARY 25, 2019
TO ALLOW FOR 4 BOARD MEMBERS TO BE PRESENT**

9:30

Calendar No. 18-239: 3547 E. 49 St.

**Ward 12
Anthony Brancatelli
6 Notices**

Number Three Grace LLC., owner, proposes to establish use as a used truck sales lot on two parcels (to be consolidated) in a B3 Residence Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 342.02 which states that the use of the property in Residence Industry zoning district for second hand truck sales lot is not permitted but is first permitted in Semi- Industry zoning district per 345.03(c)(1)
2. Section 345.02(e) which states that adequate off street parking of trucks in is required to be screened from the streets or not nearer than fifty (50) feet to streets.
3. Section 345.02(f) which states that in a Residence Industry District, entrance and exit to any building or premises are from a street designated as a major thoroughfare on the general plan adopted by the City Planning Commission or, if the premises in question does not abut such street, than from any street approved by the Board of Zoning Appeals if it finds the probable volume and type of traffic to such premises will not change materially the existing character of

such streets nor be detrimental to the adjoining or adjacent residential area. No such designation has been made by the City Planning Commission, BZA review and approval as noted is required.

4. Section 347.11(b) which states that all open areas of permanent use open sales lots that are intended either for display or for use as vehicular areas, shall be surfaced with asphalt, Portland cement, brick, paving block, or other dustless hard-surfaces, impervious all weather material approval by the Commissioner of Building and Housing. Gravel lot is proposed.
5. Section 347.11(c) which states that all permanent use open sales lots shall be graded for proper drainage. Storm water runoff shall be discharged into the City storm sewers or in another manner approved by the Director of Public Service. Water shall not be permitted to drain across public sidewalks or onto abutting lots. No grading or drainage plan submitted, no drains proposed on site plan.
6. Section 349.07(a) which states that accessory off street parking areas are required to be paved and drained and a gravel parking area proposed. No parking space striping shown on plan,
7. Section 349.08 which states that where five (5) or more accessory off-street parking spaces are provided, and are located on a lot that adjoins a building containing dwelling units, such parking spaces shall be screened from a building containing dwelling units, by an opaque wall, a uniformly painted fence of fire-resistant material or a strip of land at least four (4) feet wide and densely planted with shrubs that form a dense screen year round. No screening from adjoining lot containing dwelling unit(s) is proposed.
8. Section 349.05(a) which states that no parking space shall be located within ten (10) feet of any wall of a residential building or structure if such wall contains a ground floor opening designed to provide light or ventilation for such building or structure. (Filed October 19, 2018-Testimony Taken) *THIRD POSTPONEMENT MADE AT THE REQUEST OF THE CITY TO ALLOW FOR TIME TO REVIEW THE UPDATED PLANS. SECOND POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT TO ALLOW FOR MORE TIME TO UPDATE PLANS. FIRST POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT TO ALLOW FOR TIME TO UPDATE THE SITE PLAN TO SHOW SCREENING, STRIPING, PAVING AND LOT CONSOLIDATION; AND TO ALLOW FOR TIME FOR THE APPELLANT TO MEET WITH CITY PLANNING.*